

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

AARON ESEI,

Plaintiff

vs

No. SA-20-CV-01360-JKP

**CHAD WOLF, ACTING SECRETARY
OF THE DEPARTMENT OF
HOMELAND SECURITY; DANIEL
BIBLE, FIELD OFFICE DIRECTOR
FOR IMMIGRATION AND CUSTOMS
ENFORCEMENT; AND REYNALDO
CASTRO, WARDEN, SOUTH TEXAS
DETENTION CENTER;**

Defendants

ORDER

Before the Court is Plaintiff's Motion to Dismiss seeking to dismiss this cause without prejudice. *ECF No. 10*. Defendants have not filed an Answer. Plaintiff represents to this Court Defendants do not oppose the voluntary dismissal without prejudice. *Id.* The Court deems the terms of this dismissal to be proper pursuant to Federal Rule of Civil Procedure 41(a)(2).

In accordance with Federal Rule 41(a)(2), it is ORDERED Plaintiff's Motion to Dismiss is GRANTED; all causes of action asserted by Plaintiff are DISMISSED without prejudice.

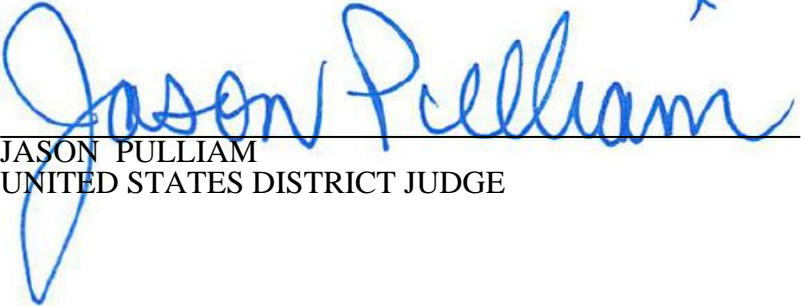
IT IS FURTHER ORDERED any pending motions, including Defendants' Motion for Summary Judgment (*ECF No. 7*), are DENIED as moot.

IT IS FURTHER ORDERED all costs and attorneys' fees shall be paid by the party incurring them.

This Court's referral of this action to Magistrate Judge Chestney is withdrawn. The Clerk of Court is directed to close the case.

It is so Ordered.

SIGNED this 20th day of January, 2021.



A handwritten signature in blue ink, reading "Jason Pulliam", is written over a horizontal line. Below the line, the text "JASON PULLIAM" and "UNITED STATES DISTRICT JUDGE" is printed in black, all-caps font.

JASON PULLIAM
UNITED STATES DISTRICT JUDGE